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December 10, 2003

FILED ELECTRONICALLY

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation in Amendment of the Commission's Rules Regarding
Dedicated Short Range Communications Services in the 5.850-5.925 GHz Band (5.9 GHz
Band), WT Docket No. 01-90 and ET Docket No. 98-95**

Dear Secretary Dortch:

Pursuant to Section 1.1206(b) of the Commission's Rules, 47 CFR § 1.1206(b), notice is hereby provided in the above-referenced dockets regarding an *ex parte* presentation made to representatives of the Commission via teleconference by the Intelligent Transportation Society of America ("ITS America") on December 10, 2003. Participating on behalf of ITS America were Paul Najarian, Director of Telecommunications and Standards, and Robert Kelly and Mark Johnson of Squire, Sanders & Dempsey L.L.P., counsel to ITS America.

Participating on behalf of the Commission were Sheryl Wilkerson, Legal Advisor to Chairman Michael Powell; Scott Delacourt, Associate Bureau Chief/Chief of Staff of the Wireless Telecommunications Bureau; and Julius Knapp, Deputy Chief of the Office of Engineering and Technology.

The participants discussed issues related to the proposal that the Commission adopt into its rules a standard for DSRC services in the 5.9 GHz Band.¹

¹ ASTM E 2213-03, Standard Specification for Telecommunications and Information Exchange Between Roadside and Vehicle Systems – 5 GHz Band Dedicated Short Range Communications (DSRC) Medium Access Control (MAC) and Physical Layer (PHY).

Please do not hesitate to contact me if there are any questions regarding this submission.

Sincerely,

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Mark D. Johnson